

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO.22250 OF 1997

DATE: 21-2-2007

Between:

1. M.Illaiah and 37 others Petitioners

and

1. The A.P. Electricity Board
rep. By its Secretary, Hyderabad
and another

Respondents

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO.22250 OF 1997

ORDER:

This writ petition is filed seeking a direction to the respondents to appoint the petitioners as helpers in the existing vacancies in the 50% quota reserved for village electricity workers and they be absorbed as helpers as per the Settlement dated 26.10.1991.

Pursuant to the interim orders passed by this Court, in W.P.M.P.8797 of 1991, a memorandum of settlement was entered into on 26.10.1991. Subsequently W.P.16523 of 1991 was itself disposed of by order dated 10.4.1992 wherein this Court directed that the respondents shall consider the claims of the petitioners for appointment as Helpers as per the Settlement dated 26.10.1991. This Court made it clear that it was not pronouncing upon the entitlement of the petitioners to be treated as workmen directly engaged by the State Electricity Board and that the decision was rested entirely on the basis of the industrial agreement which was enforceable as long as it lasted. This Court also made it clear that its judgment, would not, in any manner, affect the rights, if any, of the respondents to seek modification or termination of the agreement in a manner known to law. On the ground that the said settlement has not been implemented, the present writ petition is filed.

 This Court, by order in W.P.M.P.27090 of 1997 in W.P.No.22250 of 1997 dated 1.10.1997, issued interim directions to the respondents to consider the case of the petitioners for absorption as helpers as per the settlement dated 26.10.1991 subject to their eligibility and qualifications.

 Neither has any counter affidavit been filed on behalf of the

respondents nor is there any representation on their behalf.

This Court is, therefore, not in a position to ascertain as to whether the settlement dated 26.10.1991 still continues to remain in force or whether it was subsequently modified. In such circumstances, as this Court had already passed an interim order to consider the claims of the petitioners as per the settlement dated 26.10.1991 subject to their eligibility and qualification, ends of justice would be met if the interim order dated 1.10.1997 is made the final order, in the writ petition.

The writ petition is accordingly disposed of. No order as to costs.

21-2-22007

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